

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CLINTON COLSON, JR.,

Plaintiff,

-against-

ASSYAG ZAHI, WM. S. O'LEARY, SR., JACOB  
ROTH, ELIEZER B. KRAUS and A.  
ADOUDU'SA

Defendants.  
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JUDGMENT  
04-CV- 1477 (FB)

A Memorandum and Order of Honorable Frederic Block, United States District Judge, having been filed on February 27, 2006, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated February 6, 2006, without *de novo* review of the record; dismissing the complaint against defendants Wm. S. O'Leary, Sr., Jacob Roth, and A. Adodu'sa without prejudice pursuant to Fed. R. Civ. P. 4(m) for plaintiff's failure to serve the summons and complaint; and dismissing the action against defendants Assyag Zahi and Eliezer Kraus without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute and failure to comply with the Court's order directing plaintiff to provide the Court with his current telephone number and explain how he planned to prosecute the action from his residence in Florida; it is

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ORDERED and ADJUDGED that plaintiff take nothing of the defendants; that the Report and Recommendation of Magistrate Judge Lois Bloom is adopted; that the complaint is dismissed against defendants Wm. S. O'Leary, Sr., Jacob Roth, and A. Adodu'sa without prejudice pursuant to Fed. R. Civ. P. 4(m) for plaintiff's failure to serve the summons and complaint; and that the action is dismissed against defendants Assyag Zahi and Eliezer Kraus without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute and failure to comply with the Court's order directing plaintiff to provide the Court with his current telephone number and explain how he planned to prosecute the action from his residence in Florida.

Dated: Brooklyn, New York  
February 27, 2006

ROBERT C. HEINEMANN  
Clerk of Court